UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,297	10/03/2003	Michael John Sykes	032881-004	9662

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BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER
VEILLARD, JACQUES

ART UNIT	PAPER NUMBER
2165	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/677,297	SYKES ET AL.
	Examiner	Art Unit
	Jacques Veillard	2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*21 November 2006*</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-71* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-71* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

     1.☐ Certified copies of the priority documents have been received.

     2.☐ Certified copies of the priority documents have been received in Application No. _____.

     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the Applicant's communication filed on 11/21/2006.

2.   Claims 2, 16, 29, 30, and 58 have been amended.

3.   Claims 1-71 are pending and presented for examination.

Response to Arguments

4.   Applicant's arguments with respect to claims 1, 15, 29, 43, and 57 filed on November 21,

2006 have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

6.   Claims 1-71 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

The pronoun "that" recites in claim 1 lines 4, 5, in claim 13 lines 6, 7, in claim 15 lines 5,

6, in claim 27 lines 4, 5, in claim 29 lines 8, 9, in claim 41 lines 6, 7, in claim 43 lines 6, 7, in

claim 56 lines 3, and 5, in claim 57 lines 8, 9, and in claim 69 lines 5, 6, renders the claims

indefinite. The pronoun "that" is not permitted as part of the claimed language, only what is

being referred by "that" should be set forth in the claims.

Any claim not directly rejected under 35 U.S.C. 112, second paragraph, stands rejected

based on the same rationale as applied to their parent claims above.

Claim Rejections - 35 USC § 101

7.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8.   Claims 29-42 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As per claim 29, the claim is not limited to tangible embodiments. In view of Applicant's disclosure, specification page 17, line 29 to page 18, line 5 contains language ... that makes claim 29 non statutory. The term 'computer-readable medium,' as used herein, refers to any media that provides information or is usable by the processor(s). Such media, as defined on page 18, may take many forms, including, but not limited to, non-volatile, volatile, and transmission-type media...Transmission-type media includes coaxial cables, copper wire and fiber optics, including the wires that comprise the bus or wireless communication using transmission forms, such as radio frequency and light wave transmissions. It is noted that transmission-type ... media can also take the form of carrier waves, i.e., electromagnetic waves that can be modulated, as in frequency, amplitude, or phase, to transmit information signals as a form of energy which is not one of the four categories of invention. Since energy is not a series of steps or acts and thus is not a process, it is not a physical article or object and as such it is not a machine or manufacture. Additionally, transmission media, given as example on page 18, line 4, can take the form of acoustic or light waves, such as those generated during radio wave and infrared data communications. As such, claim 29 is not limited to a statutory subject matter and is therefore non-statutory.

The dependent claims 30-42 included in the statement of rejection but not specifically

addressed in the body of the rejection have inherited the deficiencies of their parent claim and

have not resolved the deficiencies. Therefore, they are rejected based on the same rationale as

applied to their parent claim above.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

10.   Claims 1, 2, 11, 13-16, 25, 27-29, 30, 39, 41- 45, 54, 56-58, 67, 69-71 are rejected under

35 U.S.C. 103(a) as being unpatentable over Rosensteel et al. (U. S. Pat. No. 6,167,405) in view

of Kesler (U. S. Pat. No. 7,062,502).

As per claims 1, 15, and 29, Rosensteel et al. disclose a method and system for

facilitating creation of warehouse requests by automatically populating a data warehouse system

wherein a repository tool is used for storing a number of objects such as source and target

databases (See Rosensteel et al. Title, abstract, and col.2, line 63 through col.3, line 10). In

particular, Rosensteel et al. disclose the claimed limitation of, providing a data repository, said

data repository having associated meta-data (See Rosensteel et al. Fig.1 in conjunction with

element 15 and col.4, lines 60-64).

It is noted, however, Rosensteel et al. did not specifically disclose the claimed limitation

of, dynamically generating said user interface having interface elements that are dependent upon

said meta data, operation of said interface controlled by events that also are dependent upon data in said data repository and said meta-data. On the other hand, Kesler discloses an automated generation for dynamic data entry user interface for relational database management system (See Kesler Title) including the claimed limitations of, dynamically generating said user interface having interface elements that are dependent upon said meta data, operation of said interface controlled by events that also are dependent upon data in said data repository and said meta-data (See Kesler Abstract, col. 2, line 49 through col.3, line 4, and col.40, lines 39-45)

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teachings of Rosensteel et al. with the automated generation for dynamic data entry user interface for relational database management system taught by Kesler. The motivation being to have enhanced the system of Rosensteel et al. by allowing it to automatically generating corresponding schema and user interface meta-data wherein the meta data being stored in a repository and permit it to automatically develop from the meta data an appropriate (See Kesler col.2, lines 50-56).

As per claims 43 and 57, most the limitations of these claims have already been discussed in the rejection of claims 1, 15 and 29. Therefore, they are rejected on similar grounds corresponding to the arguments given to the rejected claims 1, 15, and 29 above. In addition, the combination of Rosensteel et al. and Kesler, as combined, disclose the limitations of, storage unit for storing data, a processing unit coupled to said storage unit and a server (See Kesler) Since Kesler provides a computer apparatus therefore a processor and a storage unit are inherent in Kessler.

As per claims 2, 16, 30, and 58, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, wherein said generating step comprises the step of checking said data repository to ensure said database has associated meta-data, said meta-data defining relationships in said data repository (See Rosensteel et al. col.3, line 62 through col.3, line 2).

As per claims 11, 25, 39, 54, and 67, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, further comprising the step of providing at least one parameter pointing at said data repository to dynamically generate said user interface (See Rosensteel et al. col.7, lines 1-10).

As per claims 13, 27, 41, 56, and 69, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, further comprising the steps of: providing another data repository, said other data repository having associated meta-data (See Rosensteel et al. Fig.1 in conjunction with element 15 and col.4, lines 60-64); and dynamically generating said user interface having different interface elements that are dependent upon said meta data of said other data repository, operation of said interface controlled by events that also are dependent upon data in said other data repository and said meta-data (See Kesler Abstract, and col.2, lines 50-56, and col.40, lines 39-45).

As per claims 14, 28, 42, 70, and 71, the combination of Rosensteel et al. and Fenton et al., as combined, disclose the limitations, wherein said data repository is derived from a plurality of different database or transaction systems (See Rosensteel et al. Fig.1a in conjunction with

elements 18 and 20 and col.4, lines 39-52).

As per claim 44, the combination of Rosensteel et al. and Fenton et al., as combined,

disclose the limitations, wherein said data set satisfies a specified framework of said adaptive

interface (See Rosensteel et al. col.3, lines 32-38; col.8, lines 50-55, and col.11, line 58 through

col.12, line 2).

As per claim 45, the combination of Rosensteel et al. and Fenton et al., as combined,

disclose the limitations, wherein said meta-data defines relationships in said data repository (See

Rosensteel et al. col.3, lines 23-32, and col.5, lines 28-41, lines 56-62).

11.   Claims 3-10,12, 17-24, 26, 31-38, 40-53, 55, 59-66, and 68 are rejected under 35 U.S.C.

103(a) as being unpatentable over Rosensteel et al. (U. S. Pat. No. 6,167,405) and Kesler (U. S.

Pat. No. 7,062,502) as applied to claims 1, 15, 29, 43, and 57 above, and in further view of

Fenton et al. (U. S. Pat. No. 6,990,498).

As per claims 3, 17, 31, 46, and 59, most the limitations of these claims have been noted

in the rejection of claims 1, 15, 29, 43 and 57. Applicant's attention is directed to the rejection of

claims 1, 15, 29, 43, and 57 above.

It is noted, however, the combination of Rosensteel et al. and Kesler did not specifically

disclose the claimed limitation, wherein said generating step further comprises the step of

building a menu as a tree object using said meta-data, levels in said tree being built from said

meta-data. On the other hand, Fenton et al. disclose a dynamic graphical index website content

having interface elements and meta-data (See Fenton et al. Abstract, col.3, lines 4-14; col.11,

lines 31-55), including the claimed limitations of building a menu as a tree object using said

meta-data, levels in said tree being built from said meta-data (See Fenton et al. Figs 2 and 3,

col.1, lines 36-44; col.7, lines 58-64).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's

invention to combine the combination teachings of Rosensteel et al. and Kesler with the dynamic

graphical index of website content taught by Fenton et al. The motivation being to have

enhanced the combination system of Rosensteel et al. and Kesler by allowing them to search and

display the information about meta-data content available on the website which enables a user to

user for content according to the information presented graphically (See Fenton et al. col.1, lines

64-67).

As per claims 4, 18, 32, 47, and 60, the combination of Rosensteel et al., Kesler and

Fenton et al., as combined, disclose the limitations, further comprising the step of accessing said

user interface using a browser (See Fenton et al. col.2, lines 2-3; Fig.8, col.15, lines 4-18).

As per claims 5, 19, 33, 48, and 61, the combination of Rosensteel et al., Kesler and

Fenton et al., as combined, disclose the limitations, further comprising the step of generating web

pages for delivery to said browser to provide said user interface (See Fenton et al. col.2, lines 2-

11; col.4, lines 10-60).

As per claims 6, 20, 34, 49, and 62, the combination of Rosensteel et al., Kesler and

Fenton et al., as combined, disclose the limitations, wherein said interface elements comprise a

main menu, said main menu being an expandable, hierarchically structured object (See Fenton et al. Figs 2 and 3; col.14, line57 through col.15, line37).

As per claims 7, 21, 35, 50, and 63, the combination of Rosensteel et al., Kesler and Fenton et al., as combined, disclose the limitations, further comprising the step of building said main menu dependent upon said meta data (See Fenton et al. Figs 2 and 3; col.14, line57 through col.15, line37).

As per claims 8, 22, 36, 51, and 64, the combination of Rosensteel et al., Kesler and Fenton et al., as combined, disclose the limitations, wherein said meta-data comprises any one or more of the following: sort order, display name, hierarchy, table ID, target object, navigation URL, and initial expansion (See Fenton et al. col.3, lines 4-14; col.17, lines 13-25).

As per claims 9, 23, 37, 52, and 65, the combination of Rosensteel et al., Kesler and Fenton et al., as combined, disclose the limitations, further comprising the step of invoking a search screen, a list screen or a detail page if a menu item is selected (See Fenton et al. col.13, line 47 through col.14, line42).

As per claims 10, 24, 38, 53, and 66, the combination of Rosensteel et al., Kesler and Fenton et al., as combined, disclose the limitations, further comprising the steps of automatically generating and displaying search and navigation elements of said user interface (See Fenton et al. col.13, line 47 through col.14, line 42).

As per claims 12, 26, 40, 55, and 68, the combination of Rosensteel et al., Kesler and

Fenton et al., as combined, disclose the limitations, further comprising the step of providing a

universal resource locator (URL) to a script location to run said user interface with said data

repository as a parameter (See Fenton et al. col.5, lines 3-57).

Other Prior Art Made Of Record

12.   The prior art made of record and not relied upon is considered pertinent to Applicant's

disclosure. U.S. patents and U.S. patent application publications will not be supplied with Office

actions. Examiners advises the Applicant that the <u>cited</u> U.S. patents and patent application

publications are available for download via the Office's PAIR. As an alternate source, <u>all</u> U.S.

patents and patent application publications are available on the USPTO web site

(<u>www.uspto.gov</u>), from the Office of Public Records and from commercial sources. For the use

of the Office's PAIR system, Applicants may refer to the Electronic Business Center (EBC) at

<u>http://www.uspto.gov/ebc/index.html</u> or 1-866-217-9197.

Points Of Contact

13.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jacques Veillard whose telephone number is (571) 272-4086.

The examiner can normally be reached on Mon. to Fri. from 9 AM to 4:30 PM, alt. Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Gaffin can be reached on (571) 272- 4146. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

J.V
J.V
Jacques Veillard
Patent Examiner TC 2100

February 8, 2007